

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
 OFFICE OF THE CHIEF TRIAL COUNSEL
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FILED

AUG 14 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 14-O-00208
 13 JOHN M. RIBARICH,) NOTICE OF DISCIPLINARY CHARGES
 14 No. 183883,)
 15 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
 18 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
 THE STATE BAR COURT TRIAL:

- 19 (1) YOUR DEFAULT WILL BE ENTERED;
- 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 21 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
 AND THE DEFAULT IS SET ASIDE, AND;
- 22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
 23 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
 24 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
 25 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. John M. Ribarich ("Respondent") was admitted to the practice of law in the State of
4 California on December 12, 1996, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-00208
8 Business and Professions Code section 6106.3
9 [Violation of Civil Code section 2944.7(a)(1) - Illegal Advanced Fee]

10 2. On or about November 24, 2010, Respondent agreed to negotiate a home mortgage
11 loan modification or other form of mortgage loan forbearance for a fee for his clients, George
12 and Janet Lowe, and collected \$9,000 from the clients before Respondent had fully performed
13 each and every service Respondent contracted to perform or represented to the clients that
14 Respondent would perform, in violation of Civil Code section 2944.7, and in willful violation of
15 Business and Professions Code section 6106.3.

16 COUNT TWO

17 Case No. 14-O-00208
18 Rules of Professional Conduct, rule 4-100(B)(3)
19 [Failure to Render Accounts of Client Funds]

20 3. On or about November 24, 2010, Respondent received from his clients, George and
21 Janet Lowe, the sum of \$9,000 as advanced fees for legal services to be performed. Respondent
22 thereafter failed to render an appropriate accounting to the clients regarding those funds upon the
23 termination of Respondent's employment on or about August 13, 2012, in willful violation of the
24 Rules of Professional Conduct, rule 4-100(B)(3).

25 **NOTICE - INACTIVE ENROLLMENT!**

26 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
27 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
28 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
RECOMMENDED BY THE COURT.**

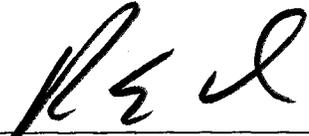
NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: August 13, 2014

By: 

Ross Wiselman
Deputy Trial Counsel

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DECLARATION OF SERVICE

by
U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 14-O-00208

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)
(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 1006 8142 at Los Angeles, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Michael E. Wine, 80 W Sierra Madre Blvd # 355 Sierra Madre, CA 91024, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS').

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: August 14, 2014

SIGNED:

Handwritten signature of Jason Peralta over a horizontal line.

Jason Peralta
Declarant